



WILLIAM T FUJIOKA  
Chief Executive Officer

## County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

July 15, 2008

Board of Supervisors  
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First District

YVONNE B. BURKE  
Second District

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Fifth District

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:  
APPROVE URBAN STORMWATER RUNOFF IMPROVEMENT PROGRAM  
FOR UNINCORPORATED AREAS OF LOS ANGELES COUNTY  
(ALL DISTRICTS) (3 VOTES)**

**SUBJECT**

The Urban Stormwater Runoff Improvement Program includes various water quality improvement studies testing, monitoring and public education/outreach programs to comply with the Federal Clean Water Act and the State Porter-Cologne Water Quality Control Act, which includes the National Pollutant Discharge Elimination System Municipal Stormwater Permit, Total Maximum Daily Loads requirements, and other regulatory compliance as described herein, for unincorporated area communities of the County of Los Angeles.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that implementation of the projects proposed under the Urban Stormwater Runoff Improvement Program are categorically exempt from the provisions of the California Environmental Quality Act since they respond to actions taken by regulatory agencies to maintain, restore, enhance, or protect the environment.

*"To Enrich Lives Through Effective And Caring Service"*

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Intra-County Correspondence Sent Electronically Only***

2. Authorize the implementation of the Urban Stormwater Runoff Improvement Program, including the coordination of water quality monitoring/compliance programs, capital improvements, and project costs for activities in unincorporated areas of the County of Los Angeles totaling \$.546 million to comply with the Federal Clean Water Act and the State Porter-Cologne Water Quality Control Act, which includes the National Pollutant Discharge Elimination System Municipal Stormwater Permit, Total Maximum Daily Loads requirements, and other regulatory compliance as described herein, for unincorporated area communities.
3. Approve the establishment of Capital Project No. 69596 for water quality studies and the implementation of Best Management Practices to comply with the Los Angeles River/Harbor Total Maximum Daily Load requirements.
4. Approve an appropriation adjustment reallocating \$.546 million in net County cost to align the Urban Stormwater Runoff Improvement Program's project budgets with funding requirements, including administrative costs to coordinate special studies and to develop and implement water quality monitoring and compliance programs as described herein.
5. Authorize the Acting Director of the Department of Public Works or his designee to deliver the projects, and to execute cost-sharing agreements with other agencies responsible for compliance with water quality regulations.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will allow the Department of Public Works (Public Works) to manage and proceed with projects included in the Urban Stormwater Runoff Improvement Program (Program). Public Works is the lead agency for the Program, and will administer and manage it on behalf of the unincorporated areas of the County and the Los Angeles County Flood Control District (LACFCD).

#### **Background**

Watersheds are land areas from which stormwater collects and drains to lower elevations of land or into a river, ocean or other body of water. The County of Los Angeles contains eight major watersheds, encompassing over 4,084 square miles of land. Contamination of the watersheds by natural, industrial, or other human activities can impact the region's basins and ultimately the quality of water in the County.

Contaminant levels are closely regulated by Federal and State regulatory agencies through the implementation and enforcement of regional permits and site specific regulations that have been established pursuant to the Federal Clean Water Act and the State Porter-Cologne Water Quality Control Act. To comply with such permits and regulations, Public Works is coordinating the development of the Program for the eight watersheds in Los Angeles County that includes structural mitigation measures, such as stormwater diversion channels and drains, and/or programmatic and operational measures that are implemented as "best management practices" (BMP).

In June 2007, your Board authorized funding for eight projects to comply with bacteria and trash limits in specified lakes and waterways. Design and planning activities have been completed, and Public Works is prepared to commence with the implementation of water sampling activities and data analysis. In addition, the need for a ninth project to study the water quality in the Los Angeles River and harbor area has been identified.

Approval of the recommended actions will authorize Public Works to proceed with the implementation of nine specified projects under the Program that will address these watershed issues and will reallocate existing funds among the nine projects to fund Program activities in unincorporated areas of the County.

### **Federal, State and Other Regulatory Requirements**

The projects in the Program are necessary to comply with stringent regulatory requirements established under the Federal Clean Water Act and the State Porter-Cologne Water Quality Control Act. These regulations include regional permits, such as the Los Angeles County National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit, and area specific regulations, such as Total Maximum Daily Loads (TMDLs) or Areas of Special Biological Significance. Noncompliance with these permits or regulations can result in substantial penalties from Federal and State agencies, as well as legal action from non-government organizations.

#### **National Pollutant Discharge Elimination System**

Federal and State laws, regulations and agencies regulate regional stormwater quality through NPDES permits. The NPDES Municipal Stormwater Permit was established to control water pollution by regulating point sources that discharge pollutants into waters of the United States. Specifically, industrial, municipal, and other facilities that discharge stormwater that goes directly to surface waters, i.e. storm drains, flood control channels, streams, rivers, lakes and oceans, must obtain permits. Issued in 2001 by the California Regional Water Quality Control Board (CRWQCB), the Los Angeles

County Municipal Stormwater NPDES Permit covers an area of approximately 3,100 square miles with a population of about 10 million people and lists the County of Los Angeles, LACFCD and 84 incorporated cities as permittees.

The quality of stormwater run-off is regulated through water quality monitoring and reporting, implementation of best management practices, which can be structural devices, facilities and/or practices that result in improved water quality, such as bio-swales for bio-retention to remove pollutants from stormwater runoff and contribute to groundwater recharge. NPDES permits can also require permittees to implement public outreach projects and programs that educate residents on how one's actions can degrade or improve water quality.

#### Total Maximum Daily Load (TMDL)

Required by the 1972 Federal Clean Water Act, TMDLs, sometimes referred to as the "Clean Water Act safety net", are stringent laws that are passed when existing regulations, such as the NPDES permit, do not achieve the desired improvements of water quality. While development of TMDLs is complex and technical, they simply describe the amount of pollution a stream or lake can tolerate and still sustain marine life or human uses.

The TMDL program requires states to identify waters that do not meet water quality standards after application of existing control requirements, and must prioritize those listed waters. In addition, for each listed waterbody, a TMDL must be determined for each pollutant causing below standard water quality. Ultimately, an Implementation Plan (IP), outlining activities to identify and eliminate sources of pollutants, must be submitted to and approved by local regulatory agencies. IPs typically include periodic water quality monitoring and reporting programs, and structural and non-structural BMPs. Today, about 15 TMDLs are in effect in Los Angeles County, about 10 more are expected within the next four years.

#### California Ocean Plan

In addition to the NPDES permit and TMDLs, the California Ocean Plan imposes even more stringent water quality requirements on a ten-mile stretch of ocean in north Santa Monica Bay from Latigo Point to the Ventura County line. This stretch of ocean is one of several Areas of Special Biological Significance (ASBS) designated by the State in the 1970s with the goal of protecting their very special marine species and biological communities from harm.

### **Urban Stormwater Runoff Improvement Program**

In June 2007, your Board approved eight projects under the Program, which include water quality monitoring, coordinating and conducting scientific and special studies, development of implementation plans, public outreach and education campaigns, and developing project concept reports for the design and construction of structural BMP to comply with the aforementioned requirements. The following are descriptions of the projects:

- Topanga Canyon J2-3 Bacteria TMDL/Ballona Creek TMDL program activities consist of the jurisdictional coordination and administration of the development of special studies and water quality monitoring/compliance programs, within the Ballona Creek Watershed.
- 
- Malibu Creek Bacteria TMDL program activities consist of the jurisdictional coordination and administration of the development of special studies, water quality monitoring/compliance programs, and structural and nonstructural BMPs within the Malibu Creek Watershed.
- Marina del Rey Bacteria TMDL subprojects and program activities consist of the jurisdictional coordination and administration of the development of special studies, water quality monitoring/compliance programs, and structural and nonstructural BMPs to improve the quality of water and/or mitigate water and sediment contamination in the marina and beaches of Marina del Rey.
- Munz, Elizabeth, Hughes, Machado, Legg Lakes Trash TMDLs Jurisdictional coordination, administration, and development of special studies, water quality monitoring/compliance programs, and structural and nonstructural BMPs to mitigate trash on the subject lakes.
- Malibu J1-4 Wet Weather Bacteria TMDL/Santa Monica Bay TMDL subprojects and program activities consist of the jurisdictional coordination and administration of the development of special studies, water quality monitoring/compliance programs, and structural and nonstructural BMPs to improve water quality of Santa Monica Bay, including identifying and mitigating sources of contamination within the sub-watersheds that drain into the Santa Monica Bay.
- Redondo J5-6 Wet Weather Bacteria TMDL/NPDES Compliance subprojects and program activities consist of administration of the Los Angeles County

NPDES Municipal Stormwater Permit to facilitate County compliance through the successful development of Countywide stormwater pollution prevention programs, conducting mandated water quality monitoring and scientific studies, and the coordination of public outreach and education campaigns.

- Palos Verdes J7 Wet Weather Bacteria TMDL/Other Regulatory Compliance subprojects and activities include water quality monitoring and planning for ASBS No. 24, from Latigo Shores to the Ventura County line, the development of trash BMPs in unincorporated areas of North Los Angeles County, development of the North Santa Monica Bay Regional Watersheds Implementation Plan and preparation of the South Compton Creek Wetlands and Pump Plant to treat water for trash and metals TMDL.
- TMDL Contingency/Various Miscellaneous TMDL subprojects and program activities consist of the County's participation in the development of TMDLs including scientific studies, structural and nonstructural BMPs for unincorporated areas of the County of Los Angeles within the Dominguez Channel Watershed; the Cities of Arcadia, Monrovia, Sierra Madre, and Bradbury; and areas maintained by Caltrans. This would also include development of a capital improvement plan for long-term water quality improvement.

Design and planning activities have been completed on these projects and Public Works is prepared to commence implementation of studies, monitoring and data analysis activities, and BMPs. Preliminary planning activities have also identified the need for an additional project to study the water quality within the Los Angeles River/Harbor watershed.

Approval of the attached Appropriation Adjustment is recommended to reallocate existing funds among the nine projects to fund the development of special studies, water quality monitoring/compliance programs, and structural and nonstructural BMPs within the unincorporated areas of the Los Angeles River/Harbor watershed. A summary of the project budget reallocations are reflected in Attachment A.

### **Project Management**

The County and LACFCD have been operating under an NPDES permit since 1990, and during that time have implemented many programs, such as public education and regular catch basin cleaning to reduce stormwater pollution. Public Works will continue to coordinate and administer the projects and programs on behalf of the LACFCD,

unincorporated areas of the County, and other responsible agencies. Public Works proposes to complete some of the implementation plans and special studies using Public Works Board-approved as-needed consultant contracts.

### **Implementation of Strategic Plan Goals**

This action is consistent with the County Strategic Plan, Goal of Organization Effectiveness (Goal 3), by utilizing a collaborative effort to implement projects, and the Goal of Community Services (Goal 6), by improving water quality, thereby improving the quality of life for residents of the County of Los Angeles.

### **FISCAL IMPACT/FINANCING**

The cost to coordinate and administer the projects of the Program is estimated at \$80 million. Approximately \$10.73 million of the total cost is attributable to activities that will benefit unincorporated areas of the County. To date, \$3.0 million has been expended on project designs and plans. Approval of the attached appropriation adjustment will reallocate \$.546 million to better align funding with planned costs for the Munz/Elizabeth/Hughes/Machado/Legg Lakes Trash TMDL, Malibu/Santa Monica Bay Beaches TMDL and Palos Verdes Bacteria/Other Regulatory Compliance projects in unincorporated areas of the County and to provide funding for studies in the unincorporated area of the Los Angeles River/Harbor watershed. The following table summarizes the recommended reallocation of funds.

Although funding is included in Public Works' LACFCD fund to finance the flood control compliance responsibilities, County General Funds are required to develop and implement projects and cover costs that are not eligible for LACFCD funding, such as when they are geographically located in areas where there are no County flood control facilities.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The NPDES Municipal Stormwater Permit is issued by the CRWQCB, Los Angeles Region (Regional Board), for the purpose of regulating surface water quality. The current NPDES Municipal Stormwater Permit issued in 2001 is the third generation of permits under which the County has been operating. The permit is issued to the LACFCD, the unincorporated areas of the County, and 84 incorporated cities within the County.

### **ENVIRONMENTAL DOCUMENTATION**

In accordance with Section 15308 of the State of California Environmental Quality Act (CEQA) Guidelines, the implementation of the proposed projects are categorically exempt from the provisions of CEQA since they respond to actions taken by regulatory agencies to maintain, restore, enhance, or protect the environment.

### **CONTRACTING PROCESS**

The proposed projects will be managed by Public Works and some of these projects will be completed through Board approved as-needed consultant contracts.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The proposed projects will have no negative effect on County projects or services.

### **CONCLUSION**

Please return two approved, stamped copies of this letter to the Chief Executive Office, Capital Projects Division, and one to Public Works, Fund Management/Budget Division.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:DDE:DL  
JSE:DJT:RB:zu

Attachments

- c. County Counsel  
Department of Public Works



## URBAN STORMWATER RUNOFF IMPROVEMENT PROGRAM

## Project Budget Summary

CP No.	Project Name	Adopted Project Budgets	FY 2008-09 Project Budgets	FY 2008-09 Realignments		FY 2008-09 Realigned Budgets
69591	Topanga Canyon J 2-3 WW Bacteria TMDL/Ballona Creek TMDL	\$50,000	\$112,000	(\$43,000)		\$69,000
69596	LA River/Harbor TMDL	0	230,000		241,000	471,000
86908	Malibu Creek TMDL	2,400,000	870,000			870,000
69586	Marina del Rey TMDL	700,000	385,000			385,000
69595	Various/Miscellaneous TMDL/Contingency	1,162,000	530,000	(503,000)		27,000
69589	Munz/Elizabeth/Hughes/Machado/Legg Lakes TMDL	150,000	0		96,000	96,000
69593	Redondo J 5-6 WW bacteria TMDL/NPDES Compliance	1,320,000	1,250,000			1,250,000
69594	Palos Verdes J 7 Wet Weather Bacteria TMDL/Other Regulatory Compliance	50,000	0		76,000	76,000
69590	Malibu J 1-4 Wet Weather Bacteria TMDL/Santa Monica Bay Beaches TMDL	4,900,000	1,505,000		133,000	1,638,000
		<b>\$10,732,000</b>	<b>\$4,882,000</b>	<b>(\$546,000)</b>	<b>\$546,000</b>	<b>\$4,882,000</b>

PINK

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BOARD OF  
SUPERVISORS  
OFFICIAL COPY

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPARTMENT OF **CHIEF EXECUTIVE OFFICE**

DEPT'S.  
No. 060

JULY 15 2008

AUDITOR-CONTROLLER.

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF ADMINISTRATIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

**FY 2008-09**

**3 - VOTES**

**SOURCES**

General Fund - A01  
See Attached.

**USES**

General Fund - A01  
See Attached.

**JUSTIFICATION**

This appropriation adjustment is necessary to align the Urban Stormwater Runoff Program's project budgets with funding requirements, allowing the Public Works to proceed with the program.

**ADOPTED**  
BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

*David Jan Takata*  
David Jan Takata, Senior Manager, CEO

CHIEF ADMINISTRATIVE OFFICER'S REPORT

**31 JUL 15 2008**

*Sachi A. Hama*  
SACHI A. HAMA  
EXECUTIVE OFFICER

REFERRED TO THE CHIEF  
ADMINISTRATIVE OFFICER FOR -

ACTION

*✓*  
RECOMMENDATION

AUDITOR-CONTROLLER

BY

*Karen Shikuma*

APPROVED AS REQUESTED *✓*

AS REVISED

APPROVED (AS REVISED):  
BOARD OF SUPERVISORS

20

NO.

**005**

*July 2 2008*

BY

DEPUTY COUNTY CLERK

**31 JULY 15, 2008**

SEND 6 COPIES TO THE AUDITOR-CONTROLLER

# Urban Stormwater Runoff Improvement Program Budget Adjustment

Fiscal Year 2008-09

3-Vote

## SOURCES

Various Capital Projects  
CP - Topanga Canyon/Ballona Creek TMDL  
A01 - CP - 6014 - 65099 - 69591  
Decrease Appropriation \$43,000

Various Capital Projects  
CP - Various Miscellaneous TMDL Contingency  
A01 - CP - 6014 - 65099 - 69595  
Decrease Appropriation \$503,000

\$546,000 ✓

## USES

Various Capital Projects  
CP - L.A. River/Harbor TMDL  
A01 - CP - 6014 - 65099 - 69596  
Increase Appropriation \$241,000 ✓

Various Capital Projects  
CP - Santa Clara/Machado/Legg Lakes TMDLs  
A01 - CP - 6014 - 65099 - 69589  
Increase Appropriation \$96,000 ✓

Various Capital Projects  
CP - Palos Verdes TMDL/Other Regulatory Compliance  
A01 - CP - 6014 - 65099 - 69594  
Increase Appropriation \$76,000 ✓

Various Capital Projects  
CP - Santa Monica Bay Beaches TMDL  
A01 - CP - 6014 - 65099 - 69590  
Increase Appropriation \$133,000 ✓

\$546,000 ✓

BA# 005 Kaura Eikeuma 7/2/08